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May 19, 2005

Date

Robert J. Outland

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Frederick J. Rosario et al.

Art Unit: 3747

OIL PRESSURE CONTROL SYSTEM
AND METHOD FOR ENGINES WITH
HYDRAULIC CYLINDER DEACTIVATION

Examiner: Hyder Ali

Application No. 10/802,196

Filed: March 17, 2004

Docket: GP-303650

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

In response to the Office Action mailed March 29, 2005, Applicant respectfully requests reconsideration of the rejections of original claims 1-9 and withdrawal of the rejections for the reasons given below.

In the Action, claims 1 and 6 were rejected as anticipated by US 6,782,855 Albertson et al. under 35 U.S.C. 102(a) and claims 1-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,557,518 Albertson et al. in view of US 5,915,348 Scheidt et al. The rejections are traversed, since the references relied

upon, considered either individually or in combination, fail completely to disclose or suggest either the combination recited in claims 1-5 or the method of claims 6-9. Neither do the references disclose a purpose similar to that of the present invention nor provide any motivation for attempting to modify the prior art to accomplish such a purpose.

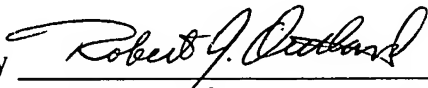
Specifically, Albertson '855 pertains to a valve train and method for reducing unnecessary oil flow to valve rocker arms when operation of the valves is deactuated. It does not disclose a system for control of oil pressure in engines, nor does it disclose an oil pump, an oil pressure control or an auxiliary pressure relief valve, all of which are recited in claim 1 of the present application. Neither does it disclose a method of extending the range of cylinder deactivation valve lifters in an engine oil system, nor the step of limiting pressure in the system at high engine speeds and low oil temperatures, which are all recited in claim 6. Without disclosure of these elements of the claims, Albertson '855 cannot anticipate claims 1 and 6, so the rejection should be withdrawn.

Further, neither Albertson '518 nor Scheidt et al., considered separately or together, teaches or suggests the subject matter of Applicant's claims 1 or 6 nor their recited purposes. Albertson '518 teaches operating deactivation valve lifters by restricting oil flow to the deactivation mechanism and exhausting the flow to prevent actuation and then closing the exhaust passages to raise the oil pressure at the lifters to the deactivation level. Scheidt et al. pertains to pressurizing a hydraulic cylinder that actuates a cam phaser to prevent air bubbles from entering the cylinder and affecting the positioning action of the phaser. The valve 11 of Scheidt et al. is not an auxiliary pressure relief valve, but a check valve positioned to prevent backflow of oil from the system through the main pump 1 when the pump 1 is shut down and the system is pressurized by a second oil pump 7 or otherwise. Neither reference teaches an auxiliary pressure relief valve operative to control oil pressures at high engine speeds and low temperatures, as claim 1 requires, nor discloses the step of limiting system pressures by opening an auxiliary pressure relief valve as claim 6 requires. Thus, these references

combined fail to meet the terms of claims 1 or 6 and do not form a basis for unpatentability. Accordingly, the rejections of claims 1-9 should be withdrawn.

This paper is believed to be fully responsive to the issues raised in the Office Action and to place this case in condition for allowance. Favorable action is requested.

Respectfully submitted,

By 
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